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C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 001301

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TAGS: [PREL](#) [PGOV](#) [TH](#) [SNAP](#)

SUBJECT: TO BE OR NOT TO BE: THAT IS THE THAI SNAP ELECTION

Classified By: Ambassador Ralph L. Boyce. Reason 1.4 (B,D)

1. (C) Summary. Prime Minister Thaksin led his Thai Rak Thai party in registering for the April 2 snap election Thursday. Only four other fringe parties have followed suit so far, as the major opposition parties held to their boycott. The Democrat Party canceled their planned rally at the Royal Plaza on Saturday. Thaksin's rally Friday and the opposition People's Alliance for Democracy rally Sunday--both at Sanam Luang--are still on. Local press reported that Thaksin may propose a new "social contract" in his speech on Friday; according to this account, the PM will vow to dissolve the to-be-elected government after 180 days. That six month period would be used to amend the constitution. The April 2 election appears far from certain; in addition, due to the details of the election law, the opposition boycott could succeed in delaying a new government from forming even if elections occur. Septel details the Ambassador's dinner with Army Chief Sonthi Boonyaratklin. End Summary.

THE UNUSUAL SUSPECTS REGISTER FOR THE VOTE

2. (SBU) Thaksin led his Thai Rak Thai (TRT) party-list candidates to formally register on March 2. The PM, who topped the 100 candidate list, reiterated his call for the Democrat, Chat Thai and Mahachon parties to reconsider their boycott of the election, but the opposition parties held firm. Only four minor parties--none of which won seats in the 2005 election--registered along with TRT: Prachakorn Thai, Kasetakorn Thai, Phandin Thai and the Palang Prachachon parties. Friday, March 3 will be the last chance for any other parties to register.

A NEW OLIVE BRANCH FROM THE PM?

3. (SBU) The PM may yet try to divide the opposition by offering new constitutional amendments. Local press reported that Thaksin plans to announce a new "social contract" at his rally on Friday. According to this account, Thaksin will vow to dissolve the new parliament 180 days after he forms a new government. Those six months will be spent amending the constitution. Opposition leaders dismissed this idea. PAD leader Suriyasai Katasila told reporters that "the only way to solve the current crisis is that Thaksin has to go." Democrat Party leader Abhisit Vejjahiva refused to judge the proposal, saying "how can we believe his words?"

PREPARING FOR ELECTION DYSFUNCTION

4. (C) The opposition parties decided to boycott the election in the hopes that their non-participation would destroy the legitimacy of the contest and force Thaksin to resign as PM. But a close look at the election law suggests that their boycott may actually prevent a new government from forming anytime soon. The House is composed of 100 party-list seats and 400 constituent seats. All 500 seats must be filled before the new parliament can be seated and a new Prime Minister and cabinet selected. Under an opposition boycott scenario, Thai Rak Thai is likely to win the entire slate of 100 party-list seats. The constituent seats, however, may pose more of a problem.

5. (C) In the case of at least two candidates running for a constituent seat, a simple plurality wins. If a candidate runs unopposed in an electoral district, however, he/she must win at least 20 percent of eligible voters in that district. In the 2005 election, TRT drew less than 20 percent of the vote in 38 constituencies; the opposition easily won those seats. But with the major opposition parties boycotting the contest, TRT will either have to beat their results in all 38 of those districts, or get one of the minor parties to run a candidate in those districts (thus making the 20 percent rule inapplicable). If TRT and a combination of the minor parties cannot win all 400 constituent seats, they could not seat the House and form a new government. In this case, a special by-election for the unfilled seats would be held a week later, and repeated ad infinitum until the seat is filled. (Note. In 2001, two rounds of back-to-back voting had to be held before a government could be formed. End Note) Throughout this saga, Thaksin would remain caretaker Prime Minister, but any delay in forming a new government would

only add to the political uncertainty.

16. (C) Our contacts in both the opposition and TRT appear to be aware of this possibility and are planning for it. For TRT this means encouraging minor parties to run in these tough districts. Indeed, once a candidate registers to run for a constituency seat they cannot, by law, withdraw from the contest. In other words, if TRT can get minor party candidates to sign up for the race (and thus preclude TRT from having to win more than 20 percent of eligible votes), they need not follow through with an expensive campaign. The pool of eligible minor party candidates is limited, however; they must have ties to the province they are running in and have been a member of their party for 90 consecutive days. The opposition, meanwhile, will likely try to cut their own deals with potential minor party candidates to keep them from running, challenge the credentials of those who do run, and work to keep voters at home on election day.

COMMENT

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17. (C) We should have a better feel for the likelihood of a delay in forming a new government when candidate registration ends on March 8 and we can get a clear headcount of non-TRT candidates. That said, the convoluted scenario above supposes a lot; the biggest question is whether the election happens at all. Local journalists, the elite and the chattering classes appear increasingly convinced that the election will not happen. But they remain unable to explain why or how the vote will be blocked without invoking the usual conspiracy theories. A simple, clear and likely method for removing Thaksin remains elusive. The same could be said for his political survival. For his part, Thaksin remains determined to crack the opposition's unity. His speech Friday may win back some hearts and minds, but it will be too late in some ways; the deadline for parties to register for the election will have passed. Still, the pomp and circumstance of the election preparations are a temporary sideshow. All eyes are still focused on this weekend's rallies.

BOYCE